

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN CIVIL LIBERTIES
UNION,

Plaintiff,

-against-

UNITED STATES CUSTOMS AND
BORDER PROTECTION et al.,

Defendants.

19-cv-11311 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

While the Court believes it is the Government's burden to justify the applicability of any exemption under the Freedom of Information Act ("FOIA"), and while the affidavits submitted by the Government may arguably be insufficient to carry this burden, the Court has now reviewed the two remaining disputed documents in the above-captioned matter in camera. The Court finds that the redacted information therein meets the requirements of FOIA Exemption 7(E). However, the Court will file unredacted versions of the two documents under seal so that they are available for any potential appellate proceedings.

SO ORDERED.

Dated: New York, NY
July 17, 2020


JED S. RAKOFF, U.S.D.J.